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Mahdavi, Jodi C. 11-12-2014

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)

-----:
JODI C. MAHDAVI, :
 :
 :
 Plaintiff, :
 :
 :
 vs. : Case No.
 : 1:14-cv-0648
NEXTGEAR CAPITAL, INC. :
 :
 :
 and :
 :
 :
 P.A.R. SERVICES, INC., :
 :
 :
 Defendants. :
-----:
Arlington, Virginia

Wednesday, November 12, 2014

Deposition of:

JODI C. MAHDAVI

called for oral examination by counsel for
Defendant, pursuant to notice, at the law offices
of Levine, Daniels & Allnutt, 5311 Lee Highway,
Arlington, Virginia, before Christy McGee, CSR, of
Capital Reporting Company, a Notary Public in and
for the Commonwealth of Virginia, beginning at
10:00 a.m., when were present on behalf of the
respective parties:

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6	<p>1 A No.</p> <p>2 Q Are you currently employed?</p> <p>3 A Yes.</p> <p>4 Q And what is your job?</p> <p>5 A Accounting.</p> <p>6 Q And where do you work?</p> <p>7 A Palm Management Corporation.</p> <p>8 Q And is that a staffing agency?</p> <p>9 A No, it's a management company.</p> <p>10 Q So do you work for multiple clients?</p> <p>11 A No.</p> <p>12 Q Do you work at multiple locations?</p> <p>13 A No.</p> <p>14 Q And where is your office located?</p> <p>15 A Washington, D.C.</p> <p>16 Q And what's the address of your employer?</p> <p>17 A 1730 Rhode Island Avenue.</p> <p>18 Q Can you describe briefly what your job</p> <p>19 responsibilities are?</p> <p>20 A I review financial statements and I</p> <p>21 supervise a staff of accountants.</p> <p>22 Q And can you briefly describe your</p>	8	<p>1 MR. BRAGDON: I'm going to mark your</p> <p>2 Answers to Interrogatories as Exhibits 1 and 2.</p> <p>3 (Mahdavi Deposition Exhibit Numbers 1 and</p> <p>4 2 were marked for identification.)</p> <p>5 BY MR. BRAGDON:</p> <p>6 Q Can you just generally review these</p> <p>7 documents and take your time and verify whether</p> <p>8 these are your answers to NextGear, which I think</p> <p>9 is marked as 2, and your supplemental answer to</p> <p>10 P.A.R. Services, which I think is marked as 1.</p> <p>11 MR. BRAGDON: Can you mark this as 3?</p> <p>12 (Mahdavi Deposition Exhibit Number 3</p> <p>13 was marked for identification.)</p> <p>14 BY MR. BRAGDON:</p> <p>15 Q Do they appear to be accurate copies of</p> <p>16 the interrogatories you reviewed and signed?</p> <p>17 A Yes.</p> <p>18 Q Is there anything specific that comes to</p> <p>19 mind on review of changes you would make or</p> <p>20 additions you would make?</p> <p>21 A No.</p> <p>22 Q Is it correct -- were you involved in the</p>
7	<p>1 educational background?</p> <p>2 A I have a CPA.</p> <p>3 Q And where was your -- do you have an</p> <p>4 undergrad degree?</p> <p>5 A Uh-huh.</p> <p>6 Q And where was that from?</p> <p>7 A George Mason.</p> <p>8 Q And what was your major in undergrad?</p> <p>9 A Business.</p> <p>10 Q And what is your home address?</p> <p>11 A 915 Fairway Drive, Vienna, Virginia.</p> <p>12 Q And other than that, do you own any other</p> <p>13 properties?</p> <p>14 A Yes.</p> <p>15 Q How many approximately do you own or have</p> <p>16 an interest in, I should say?</p> <p>17 A Approximately ten.</p> <p>18 Q And are those residential properties?</p> <p>19 A Yes.</p> <p>20 Q And are they located -- I guess, what</p> <p>21 states are they located in?</p> <p>22 A Virginia and Maryland.</p>	9	<p>1 responses to the request for production of</p> <p>2 documents as well?</p> <p>3 A Yes.</p> <p>4 Q Can you describe what you did to look for</p> <p>5 responsive documents? Where did you go to look for</p> <p>6 the documents you produced?</p> <p>7 A I asked my husband for some.</p> <p>8 Q And did you have any personal files that</p> <p>9 you had documents in?</p> <p>10 A Bank statements.</p> <p>11 Q Did you review any of your e-mail</p> <p>12 communications?</p> <p>13 A I didn't have any e-mail communications.</p> <p>14 Q Do you use e-mail?</p> <p>15 A Yes.</p> <p>16 Q And do you have a work and personal</p> <p>17 account?</p> <p>18 A I don't have a personal account. I have</p> <p>19 a work e-mail.</p> <p>20 Q And what is the -- that's called Palm</p> <p>21 Communication or what's name of your company again?</p> <p>22 A The Palm.</p>

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10	<p>1 Q Palm. Palm Management?</p> <p>2 A Uh-huh.</p> <p>3 Q What's the domain name of those e-mails?</p> <p>4 A The Palm.</p> <p>5 Q Have you -- what's your general practice</p> <p>6 for storing e-mails through your work e-mail</p> <p>7 account?</p> <p>8 A I don't keep personal e-mails on my work</p> <p>9 e-mail.</p> <p>10 Q And so you don't have any personal e-mail</p> <p>11 account?</p> <p>12 A I don't have a personal e-mail account,</p> <p>13 no.</p> <p>14 Q So it's correct that -- do you correspond</p> <p>15 with your husband with your work e-mail?</p> <p>16 A I do, yes.</p> <p>17 Q Do you correspond with friends and family</p> <p>18 members through your work account?</p> <p>19 A I do.</p> <p>20 Q Is it like an Outlook account?</p> <p>21 A It is Outlook.</p> <p>22 Q Do you -- I guess your e-mail is kept and</p>	12	<p>1 husband, you would delete those?</p> <p>2 A Yes.</p> <p>3 Q And has that continued while this</p> <p>4 litigation has been pending?</p> <p>5 A Yes.</p> <p>6 Q Have you ever e-mailed anyone about</p> <p>7 anything related to this litigation?</p> <p>8 A No.</p> <p>9 Q Do you keep a calendar?</p> <p>10 A No.</p> <p>11 Q Do you use Outlook calendar?</p> <p>12 A No.</p> <p>13 Q Do you have any method for keeping track</p> <p>14 of personal appointments or professional</p> <p>15 appointments?</p> <p>16 A I have a paper calendar on my desk.</p> <p>17 Q And do you use that paper calendar to</p> <p>18 keep track of what your work appointments are?</p> <p>19 A I don't really have work appointments.</p> <p>20 Q Okay. So do you keep track of, I guess,</p> <p>21 social or personal appointments on the work</p> <p>22 calendar?</p>
11	<p>1 stored on the work computer; is that correct?</p> <p>2 A Uh-huh.</p> <p>3 Q Does it also come to your phone?</p> <p>4 A Yes.</p> <p>5 Q Do you delete e-mails after reading them?</p> <p>6 A Sometimes.</p> <p>7 Q Have you continued your -- do you store</p> <p>8 e-mails after reading them sometimes?</p> <p>9 A Not usually.</p> <p>10 Q Do you keep separate folders or do you</p> <p>11 just keep your e-mails in your inbox?</p> <p>12 A Just in my inbox.</p> <p>13 Q Have you continued to delete e-mails over</p> <p>14 the last six months or have you stopped deleting</p> <p>15 them?</p> <p>16 A I delete some.</p> <p>17 Q Is there a practice you have for deciding</p> <p>18 which e-mails to delete and which ones to keep?</p> <p>19 A If it's work-related, I'll keep it. I</p> <p>20 mean, if I don't need it, I don't keep it, no.</p> <p>21 Q Is it fair to say that most of the</p> <p>22 e-mails you have with friends and family or your</p>	13	<p>1 A Uh-huh.</p> <p>2 MR. LEVINE: Try to, for the court</p> <p>3 reporter, give yes or no.</p> <p>4 THE WITNESS: Oh, I'm sorry. Yes.</p> <p>5 BY MR. BRAGDON:</p> <p>6 Q And then do you text message with friends</p> <p>7 and family?</p> <p>8 A Yes.</p> <p>9 Q Do you send -- is that a frequent way of</p> <p>10 communicating with your friends and family?</p> <p>11 A Yes.</p> <p>12 Q And do you use text messages to discuss</p> <p>13 your schedule or where you are for the day?</p> <p>14 A Yes.</p> <p>15 Q Ms. Mahdavi, are you married to Navid</p> <p>16 Alex Mahdavi?</p> <p>17 A Yes.</p> <p>18 Q When were you married to him?</p> <p>19 A September 2005.</p> <p>20 Q Does he live with you in Vienna?</p> <p>21 A Yes.</p> <p>22 Q Is he currently working?</p>

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14	<p>1 A I don't know.</p> <p>2 Q Was he working at Beltway Auto before?</p> <p>3 A Yes.</p> <p>4 Q And do you know what his job</p> <p>5 responsibilities there were?</p> <p>6 A Responsibilities, no.</p> <p>7 Q Did you know what his job title was?</p> <p>8 A Manager.</p> <p>9 Q Did you have even a general understanding</p> <p>10 of what he did at Beltway Auto?</p> <p>11 A Sold cars.</p> <p>12 Q And do you know when he started working</p> <p>13 at Beltway Auto?</p> <p>14 A January of 2010.</p> <p>15 Q What was your husband's previous job</p> <p>16 before working at Beltway Auto?</p> <p>17 MR. LEVINE: Objection, relevance.</p> <p>18 BY MR. BRAGDON:</p> <p>19 Q You can answer unless he tells you not</p> <p>20 to. He's preserving -- if there's an objection to</p> <p>21 my question, he'll make a record.</p> <p>22 A He worked for another auto company in</p>	16
15	<p>1 Maryland, Auto Source.</p> <p>2 Q And do you know his dates of employment</p> <p>3 there?</p> <p>4 A No.</p> <p>5 Q Since you were married, have you ever</p> <p>6 lived apart from Mr. Mahdavi?</p> <p>7 A Yes.</p> <p>8 Q Has he ever lived -- Mr. Mahdavi was</p> <p>9 incarcerated for a period of time in 2008 and 2009;</p> <p>10 is that correct?</p> <p>11 A Yes.</p> <p>12 Q Other than that, have you ever lived</p> <p>13 apart from him?</p> <p>14 A No.</p> <p>15 Q Do you know what Mr. Mahdavi's salary was</p> <p>16 at BW Auto?</p> <p>17 A No.</p> <p>18 Q And you knew the principals or the owners</p> <p>19 of BW Auto; is that correct?</p> <p>20 A The -- no.</p> <p>21 Q Who were your husband's bosses?</p> <p>22 A Mr. Molavi.</p>	17

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18	<p>1 MR. LEVINE: Objection, relevance.</p> <p>2 THE WITNESS: I have one in Maryland.</p> <p>3 The others are in Virginia.</p> <p>4 BY MR. BRAGDON:</p> <p>5 Q Do you know the address of the one in</p> <p>6 Maryland?</p> <p>7 A 9913 Montauk Avenue.</p> <p>8 Q And are you the owner of these or do you</p> <p>9 own them jointly with your husband?</p> <p>10 A I own them.</p> <p>11 Q And can you -- were they all purchased</p> <p>12 after the year 2000?</p> <p>13 A I think so. I don't know for sure.</p> <p>14 Q And how did you purchase these</p> <p>15 properties?</p> <p>16 A With loans.</p> <p>17 Q Did you purchase any of them before being</p> <p>18 married to Mr. Mahdavi?</p> <p>19 A I think two. It may have been more. It</p> <p>20 may have been four before we were married.</p> <p>21 Q Let's talk a little about the BMW.</p> <p>22 Before you purchased the BMW, what type of car were</p>	20	<p>1 A Uh-huh.</p> <p>2 Q How did you decide on that vehicle?</p> <p>3 A I saw that it was in a four-door and I</p> <p>4 liked it and told my husband.</p> <p>5 Q And where did you see it?</p> <p>6 A I saw it on the road.</p> <p>7 Q And do you recall when you first saw and</p> <p>8 identified that as a car you would be interested</p> <p>9 in?</p> <p>10 A Somewhere around the 1st of the year.</p> <p>11 Q And did he tell you at that time he would</p> <p>12 try to locate one through BW Auto?</p> <p>13 A He just said he would keep an eye out for</p> <p>14 one.</p> <p>15 Q And do you recall the first time he told</p> <p>16 you that he found one?</p> <p>17 A He didn't tell me he found one. He</p> <p>18 brought it home for me to see.</p> <p>19 Q And that was on March -- was that</p> <p>20 March 11, 2014?</p> <p>21 A No, it was sometime in the beginning of</p> <p>22 March.</p>
19	<p>1 you driving?</p> <p>2 A GLK.</p> <p>3 Q And where had you purchased that vehicle</p> <p>4 from?</p> <p>5 A BW.</p> <p>6 Q And you had financed that purchase; is</p> <p>7 that correct?</p> <p>8 A Yes.</p> <p>9 Q And that's through PenFed as well?</p> <p>10 A Yes.</p> <p>11 Q Pentagon Federal. Do you know</p> <p>12 approximately when you purchased that vehicle?</p> <p>13 A 2012, I think.</p> <p>14 Q And there was a loan amount still</p> <p>15 outstanding on that car; is that correct?</p> <p>16 A Yes.</p> <p>17 Q So do you recall when you first decided</p> <p>18 to look for a new vehicle?</p> <p>19 A Somewhere around the beginning of the</p> <p>20 year, 2014.</p> <p>21 Q And how did you decide on the -- the BMW</p> <p>22 6i; is that correct?</p>	21	<p>1 Q And he just brought it home one night?</p> <p>2 A Uh-huh, yes.</p> <p>3 Q And did you test-drive it at that time?</p> <p>4 A Yes.</p> <p>5 Q Do you recall what day of the week he</p> <p>6 brought it home?</p> <p>7 A It was a Friday.</p> <p>8 Q And that's the same white BMW that's at</p> <p>9 issue in this case?</p> <p>10 A Yes.</p> <p>11 Q And did you drive it over that weekend</p> <p>12 test-drive it, I guess?</p> <p>13 A Yes, I did.</p> <p>14 Q And at that time did you decide to</p> <p>15 purchase the vehicle?</p> <p>16 A Yes.</p> <p>17 Q And what were the terms of purchase to</p> <p>18 be?</p> <p>19 A The terms?</p> <p>20 Q Did you work out how you were going to</p> <p>21 purchase the vehicle from BW Auto?</p> <p>22 A At that time, no.</p>

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22	<p>1 Q Did you make any payments at that time?</p> <p>2 A No.</p> <p>3 Q Did you sign a contract at that time?</p> <p>4 A No.</p> <p>5 Q Do you recall when you first did sign a</p> <p>6 contract?</p> <p>7 A I did a deposit on the 11th, a transfer</p> <p>8 to deposit on the 11th. I think the contract was</p> <p>9 on the 16th.</p> <p>10 Q Sure. And I'm not trying to quiz you or</p> <p>11 anything, so you should feel free to look at the --</p> <p>12 A I think it was the 16th.</p> <p>13 Q The 16th of --</p> <p>14 A March.</p> <p>15 Q -- March?</p> <p>16 A And I transferred the deposit on the</p> <p>17 11th, which was after he brought the car home.</p> <p>18 Q Well, I'll say, Ms. Mahdavi, don't feel</p> <p>19 any pressure if you don't remember an exact date</p> <p>20 because we'll go through these documents.</p> <p>21 A Okay.</p> <p>22 Q I shall say, if you do want to go through</p>	24	<p>1 a car purchase?</p> <p>2 A It was just a savings that I had.</p> <p>3 Q And was that savings funded by your</p> <p>4 salary and your rental properties?</p> <p>5 A It was just my savings.</p> <p>6 Q So what were the sources of your savings</p> <p>7 at that time?</p> <p>8 A I don't -- I don't -- just whatever</p> <p>9 savings I had, I would put in that account. I</p> <p>10 don't recall where specifically they --</p> <p>11 Q Sure. So I guess the general question</p> <p>12 I'm asking is, when you're building up your savings</p> <p>13 account, what were the sources of income for that</p> <p>14 money?</p> <p>15 A It would be, you know -- I don't</p> <p>16 really -- I don't think I'm following. Whatever</p> <p>17 savings that I would have I would put in that</p> <p>18 account, so it would be whatever savings I would</p> <p>19 have from my employment.</p> <p>20 Q Right. So it would be -- the source of</p> <p>21 that savings would be your salary?</p> <p>22 A And my --</p>
23	<p>1 them at any time today, you should feel free to do</p> <p>2 that if you think it will help you answer a</p> <p>3 question. And do you recall signing a contract to</p> <p>4 purchase around that time in March?</p> <p>5 A Yes.</p> <p>6 Q Do you recall signing any other</p> <p>7 documents, other than the contract to purchase, in</p> <p>8 March?</p> <p>9 A No.</p> <p>10 Q And was the deposit you made the \$23,000</p> <p>11 deposit?</p> <p>12 A Yes.</p> <p>13 Q And that came from one of your accounts?</p> <p>14 A Yes.</p> <p>15 Q And which account was that, if you can</p> <p>16 recall?</p> <p>17 A The Bank of America.</p> <p>18 Q And was that approximately all of the</p> <p>19 money you had in that Bank of America account at</p> <p>20 that time?</p> <p>21 A Yes.</p> <p>22 Q Was that money you had been saving up for</p>	25	<p>1 Q And rental properties?</p> <p>2 A Yes.</p> <p>3 Q Other than salary and rental properties,</p> <p>4 was there anywhere else that you got money for your</p> <p>5 savings account?</p> <p>6 A Not that I recall.</p> <p>7 Q Did Mr. Mahdavi ever give you money for</p> <p>8 your savings?</p> <p>9 A No.</p> <p>10 Q And is it true that from the time</p> <p>11 Mr. Mahdavi brought the vehicle home in early March</p> <p>12 that it remained on the property, at your house, in</p> <p>13 your possession?</p> <p>14 A No, he drove it back and forth to work.</p> <p>15 Q Did he drive it back and forth every day</p> <p>16 to work?</p> <p>17 A Not every day. I mean, he drives a</p> <p>18 different car every day.</p> <p>19 Q From the lot?</p> <p>20 A Uh-huh.</p> <p>21 Q And so often it would be the BMW?</p> <p>22 A Often.</p>

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26	<p>1 Q When was the first time -- did he drive</p> <p>2 it back the Monday after that first weekend in</p> <p>3 March when you first test-drove it?</p> <p>4 A The Monday, I honestly can't recall.</p> <p>5 Q Now, after you signed the contract in</p> <p>6 March and made the deposit, did you keep the</p> <p>7 vehicle at that time?</p> <p>8 A No.</p> <p>9 Q And what was -- I guess, what was the</p> <p>10 plan for when you were going to complete the</p> <p>11 purchase of the vehicle?</p> <p>12 A The plan? Well, I was in the process of</p> <p>13 refinancing rental properties, so that's why my</p> <p>14 husband had me do the down payment.</p> <p>15 Q So the idea was that you'd make a down</p> <p>16 payment in March and then complete the purchase at</p> <p>17 some later time?</p> <p>18 A Yes.</p> <p>19 Q And you said this was the way your</p> <p>20 husband proposed to structure the deal?</p> <p>21 A Yes.</p> <p>22 Q So do you recall the first time that you</p>	28	<p>1 starting to use the vehicle as your own?</p> <p>2 A I think so.</p> <p>3 Q Do you recall filling out an application</p> <p>4 for title?</p> <p>5 A No.</p> <p>6 Q Would that have been handled at BW Auto?</p> <p>7 A Yes.</p> <p>8 Q And was that your husband who handled</p> <p>9 that?</p> <p>10 A I don't know.</p> <p>11 Q Did you talk to anyone at NextGear while</p> <p>12 you were going through the process of purchasing</p> <p>13 this vehicle?</p> <p>14 A No.</p> <p>15 Q Did your husband tell you anything about</p> <p>16 who else was involved in the purchase of your</p> <p>17 vehicle?</p> <p>18 A No.</p> <p>19 Q Did you speak when you were -- before</p> <p>20 purchasing the vehicle, did you speak with anyone</p> <p>21 at PenFed regarding the financing?</p> <p>22 A No.</p>
27	<p>1 had the vehicle as your vehicle?</p> <p>2 A I want to say it was April some --</p> <p>3 mid-April.</p> <p>4 Q And was that after you completed</p> <p>5 financing that you started using the vehicle as</p> <p>6 your vehicle?</p> <p>7 A Yes.</p> <p>8 Q Now, when you were filling out paperwork</p> <p>9 for the financing for the purchase of the vehicle,</p> <p>10 was that paperwork you obtained through your</p> <p>11 husband?</p> <p>12 A Yes, he did the paperwork.</p> <p>13 Q So, for example -- and we can go through</p> <p>14 them if it helps, but if there's typewritten</p> <p>15 information on a form, was that something he would</p> <p>16 have typewritten?</p> <p>17 A Yes.</p> <p>18 Q And is it fair to say that he brought the</p> <p>19 paperwork home for you to sign?</p> <p>20 A Yes.</p> <p>21 Q Did you complete all the paperwork</p> <p>22 regarding the purchase of the vehicle before</p>	29	<p>1 Q Did your husband handle that aspect of</p> <p>2 the purchase?</p> <p>3 A Yes.</p> <p>4 Q Do you recall if your husband told you</p> <p>5 anything about where the BMW came from or how it</p> <p>6 was purchased?</p> <p>7 A No.</p> <p>8 Q And is that that he didn't -- I didn't</p> <p>9 ask the question well, but is that that he didn't</p> <p>10 tell you anything or that you don't recall?</p> <p>11 A Are you asking before, when I purchased</p> <p>12 the car?</p> <p>13 Q Yes.</p> <p>14 A He didn't -- he never said anything.</p> <p>15 Q We have Exhibit 3 before you, which is</p> <p>16 the documents you produced. Can you just -- you</p> <p>17 can take your time if you want, but can you flip</p> <p>18 through these documents and just say generally</p> <p>19 whether these appear to be all the documents you</p> <p>20 produced in response?</p> <p>21 A Yes.</p> <p>22 Q On the first page -- and I'll refer to</p>

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30	<p>1 them by the page numbers that are printed in the</p> <p>2 lower right-hand corner, Mahdavi 001.</p> <p>3 A Oh, okay.</p> <p>4 Q Was this title that you had for the car</p> <p>5 after the purchase?</p> <p>6 A Yes, this is what came in the mail.</p> <p>7 Q And did you say earlier you didn't recall</p> <p>8 filling out an application for this title; is that</p> <p>9 correct?</p> <p>10 A Yes.</p> <p>11 Q And what's the address -- I know you</p> <p>12 answered this in your interrogatories, but what was</p> <p>13 this address, the Temple Hills address?</p> <p>14 A This is the address at -- I have an</p> <p>15 office here.</p> <p>16 Q And that's -- is that a client office?</p> <p>17 A Yes.</p> <p>18 Q And how frequently are you at that</p> <p>19 office?</p> <p>20 A Every couple months.</p> <p>21 Q Is that where this was sent to, this</p> <p>22 Certificate of Title?</p>	32
31	<p>1 A I think so. The -- this is the address</p> <p>2 that Maryland has on file, so that's why the title</p> <p>3 went there.</p> <p>4 Q And do you know why that address was used</p> <p>5 rather than your home address?</p> <p>6 A Because I was registering the vehicle in</p> <p>7 Maryland at the Montauk Avenue address, but they</p> <p>8 didn't have that address on file so the title got</p> <p>9 sent to this address.</p> <p>10 Q And do you regularly check your mail at</p> <p>11 that address?</p> <p>12 A No.</p> <p>13 Q So I guess the next time you went to the</p> <p>14 office you picked it up in the mail?</p> <p>15 A No, they sent it to me.</p> <p>16 Q And, do you know, why was -- did you make</p> <p>17 the decision to register the car in Maryland?</p> <p>18 A Yes.</p> <p>19 Q And why is that?</p> <p>20 A Because we were forming a company in</p> <p>21 Maryland. I am forming a company in Maryland.</p> <p>22 Q And what company is that?</p>	33

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34	<p>1 A Yes.</p> <p>2 Q And up until April 2014, is it correct</p> <p>3 that no actual company had been formed with regards</p> <p>4 to the Montauk Avenue property?</p> <p>5 A Not yet.</p> <p>6 Q And so it still hasn't been formed; is</p> <p>7 that correct?</p> <p>8 A It's in the process.</p> <p>9 Q So were you making -- were you paying for</p> <p>10 the work on Montauk Avenue from personal funds?</p> <p>11 MR. LEVINE: Objection, relevance.</p> <p>12 THE WITNESS: Yeah.</p> <p>13 BY MR. BRAGDON:</p> <p>14 Q And so are you saying that the eventual</p> <p>15 plan was that the car would be owned by the company</p> <p>16 or that you would use it for business purposes?</p> <p>17 A Use it for business purposes.</p> <p>18 Q Did you plan on transferring title of the</p> <p>19 car to the company?</p> <p>20 A I hadn't thought the whole process</p> <p>21 through yet. It was more of a -- I was still</p> <p>22 speaking to the CPA who does my taxes to figure out</p>	36	<p>1 Q Sorry. Yes. Did you discuss with him</p> <p>2 the need to have a Maryland address if you were</p> <p>3 going to register the car in Maryland?</p> <p>4 A Well, the point was to use the car with</p> <p>5 the new company and the company was a Maryland</p> <p>6 company, so the address being a Maryland address</p> <p>7 was because the company was going to be a Maryland</p> <p>8 company. It really wasn't the other way around.</p> <p>9 Q Right. Well, you had to have a Maryland</p> <p>10 address to register the car in Maryland; is that</p> <p>11 correct?</p> <p>12 A Yes.</p> <p>13 Q And is that why -- so that's why you used</p> <p>14 your client's address -- the work address at your</p> <p>15 client's office?</p> <p>16 A This address?</p> <p>17 Q Yes.</p> <p>18 A No, that's just the address that Maryland</p> <p>19 had on file for me. That's why the title got sent</p> <p>20 there. I didn't give Maryland that address.</p> <p>21 That's just the address they had on file.</p> <p>22 Q Do you know what address you did give</p>
35	<p>1 what the best approach was.</p> <p>2 Q So did you make the choice then to use</p> <p>3 this Maryland address as your address for the BMW</p> <p>4 Certificate of Title?</p> <p>5 A Yes.</p> <p>6 Q Were you concerned that by using the</p> <p>7 Maryland address that you -- were you concerned</p> <p>8 about using an address that you didn't regularly</p> <p>9 check mail on?</p> <p>10 A No.</p> <p>11 Q Did anyone else -- did your husband</p> <p>12 participate in you making the decision to register</p> <p>13 the car in Maryland?</p> <p>14 A Yes.</p> <p>15 Q And were there any -- how did you make</p> <p>16 that decision with him?</p> <p>17 A Other than the fact that we were talking</p> <p>18 about the new company, that's it.</p> <p>19 Q And so at some point did you discuss the</p> <p>20 need to have -- if you were going to register the</p> <p>21 car in Maryland to have a Maryland address?</p> <p>22 A Is that a question?</p>	37	<p>1 Maryland?</p> <p>2 A The Montauk Avenue.</p> <p>3 Q Now, you didn't fill out the form for the</p> <p>4 title application?</p> <p>5 A Exactly, I had not done that yet.</p> <p>6 Q Did you eventually fill out a form for</p> <p>7 title?</p> <p>8 A I don't know if my husband did that.</p> <p>9 Q So do you know what address was on that</p> <p>10 form?</p> <p>11 A I don't know.</p> <p>12 Q And do you know how Maryland would have</p> <p>13 had that address on file already before the</p> <p>14 purchase of the BMW?</p> <p>15 MR. LEVINE: Objection, calls for</p> <p>16 speculation.</p> <p>17 THE WITNESS: I think we had -- I had a</p> <p>18 car there registered before.</p> <p>19 BY MR. BRAGDON:</p> <p>20 Q And do you -- was that the car, the one</p> <p>21 you referred to earlier that you had?</p> <p>22 A The GLK.</p>

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38	40
<div>1 Q The GLK, yes.</div> <div>2 A I think it was originally registered</div> <div>3 there. It is registered in Virginia now.</div> <div>4 Q Do you still have that vehicle?</div> <div>5 A Yes.</div> <div>6 Q Is that the vehicle you're currently</div> <div>7 driving?</div> <div>8 A I have it, yes.</div> <div>9 Q So if you can flip to Page 15 of your</div> <div>10 production. The address on -- this is an insurance</div> <div>11 policy document; is that correct?</div> <div>12 A Yes.</div> <div>13 Q Is that a document that you had or that</div> <div>14 you got from your husband?</div> <div>15 A This I had.</div> <div>16 Q And so you -- the Montauk Avenue, you</div> <div>17 also chose to have the car insured at that address</div> <div>18 as well?</div> <div>19 A Yes, that's the same address.</div> <div>20 Q When the construction was completed at</div> <div>21 Montauk Avenue, was it your intent to sell that as</div> <div>22 a residential property?</div>	<div>1 drive currently?</div> <div>2 A I actually carpool with someone from</div> <div>3 work.</div> <div>4 Q Is that someone who lives close to you?</div> <div>5 A Yes.</div> <div>6 Q Do you alternate driving or do they drive</div> <div>7 every day?</div> <div>8 A She drives most of the time.</div> <div>9 Q When you drive, what vehicle do you use?</div> <div>10 A It depends. The GLK.</div> <div>11 Q And what other -- so the GLK, what make</div> <div>12 is that?</div> <div>13 A Mercedes.</div> <div>14 Q And what year is the GLK, if you know,</div> <div>15 the year of the model?</div> <div>16 A It's 2011.</div> <div>17 Q Are there other vehicles that you use</div> <div>18 since the repossession of the BMW?</div> <div>19 A I have my sister's car.</div> <div>20 Q Do you sometimes use your sister's car</div> <div>21 for the carpool or for errands?</div> <div>22 A Yes.</div>
39	41
<div>1 A It's not complete.</div> <div>2 Q I guess my question is, is it planned</div> <div>3 that that will be some sort of office or that will</div> <div>4 be a construction project you sell to a residential</div> <div>5 purchaser?</div> <div>6 A Sell.</div> <div>7 Q Is it fair to say that you didn't plan on</div> <div>8 living at Montauk Avenue after it was completed?</div> <div>9 A At this point in time, no.</div> <div>10 Q Can you turn to Page 19? This is the</div> <div>11 Purchase Agreement that you signed for the BMW; is</div> <div>12 that correct?</div> <div>13 A Yes.</div> <div>14 Q At the time you signed this agreement,</div> <div>15 you understood there was an unpaid balance of</div> <div>16 \$64,000; is that correct?</div> <div>17 A Yes.</div> <div>18 Q And was it your understanding that you</div> <div>19 would have obtained that amount through financing</div> <div>20 through some sort of lender?</div> <div>21 A Yes.</div> <div>22 Q For when you go to work, what car do you</div>	<div>1 Q Are there any other vehicles that you</div> <div>2 use?</div> <div>3 A No.</div> <div>4 Q And what's the make of your sister's car?</div> <div>5 A A Porsche.</div> <div>6 Q Have you ever -- have you rented a</div> <div>7 vehicle since your BMW was repossessed?</div> <div>8 A No.</div> <div>9 Q And is it fair to say that because it's</div> <div>10 your sister that it's an informal arrangement where</div> <div>11 she has allowed you to borrow it?</div> <div>12 A Yes.</div> <div>13 Q Can you turn to Mahdavi 22, please? And</div> <div>14 can you confirm when you get there that this is the</div> <div>15 account statement for the account you paid the</div> <div>16 deposit for the BMW?</div> <div>17 A Yes.</div> <div>18 Q Do you recall -- can you estimate what</div> <div>19 the balance was on the account at the end of 2013?</div> <div>20 A Probably roughly 25,000, I would assume.</div> <div>21 Q Is it fair to say -- in this account over</div> <div>22 the year before the purchase, was this something</div>

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42	<p>1 that had built up in a very -- that the variations</p> <p>2 were slight as you took money out and put money in</p> <p>3 or was it an account that there were large changes</p> <p>4 or variations in it?</p> <p>5 A No, it pretty much stayed the same.</p> <p>6 Q Were there any -- so there -- is it fair</p> <p>7 to say there wouldn't have been any large transfer</p> <p>8 into the account in early 2014 before purchase of</p> <p>9 the vehicle?</p> <p>10 A 2014? I'd have to go back and look.</p> <p>11 Q Were there any other conversations you</p> <p>12 had that we haven't already discussed before</p> <p>13 purchase of the vehicle about the BMW with your</p> <p>14 husband that you can recall?</p> <p>15 A No.</p> <p>16 Q Is it fair to say that you didn't get</p> <p>17 into the details of how the purchase was going to</p> <p>18 happen?</p> <p>19 A No.</p> <p>20 Q Is that not fair to say? I'm sorry. I</p> <p>21 asked the question in probably a bad way. Did you</p> <p>22 get into the details before the purchase with your</p>	44	<p>1 A No, they didn't -- they didn't pay off</p> <p>2 the GLK, so my husband brought the car back home.</p> <p>3 Q Okay. So Beltway didn't pay off the GLK?</p> <p>4 A Right.</p> <p>5 Q And when did you learn that Beltway</p> <p>6 hadn't done that?</p> <p>7 A It was -- it was later. It was sometime</p> <p>8 later in May.</p> <p>9 Q And do you recall what your husband told</p> <p>10 you about that?</p> <p>11 A He just brought -- I -- he brought the</p> <p>12 car back home.</p> <p>13 MR. BRAGDON: Give me one minute. I'm</p> <p>14 flipping through these documents. Do you want to</p> <p>15 take a short break?</p> <p>16 MR. LEVINE: Do you want to take a break?</p> <p>17 THE WITNESS: It doesn't matter.</p> <p>18 MR. BRAGDON: Do you mind if I do?</p> <p>19 MR. LEVINE: No, go right ahead.</p> <p>20 (Brief pause.)</p> <p>21 BY MR. BRAGDON:</p> <p>22 Q Ms. Mahdavi, I want to talk a little bit</p>
43	<p>1 husband?</p> <p>2 A No, not at all.</p> <p>3 Q Has the amount -- the outstanding amount</p> <p>4 on the loan for the GLK with PenFed, has that been</p> <p>5 paid off?</p> <p>6 A No.</p> <p>7 Q Are you still paying that amount?</p> <p>8 A Yes.</p> <p>9 Q Did you receive a trade-in credit for</p> <p>10 purchase of the BMW?</p> <p>11 A I was supposed to on the agreement. So</p> <p>12 technically I've paid -- how do you say it? Yes, I</p> <p>13 was supposed to get a trade-in allowance on the</p> <p>14 deal, but I didn't get it. We took the car back.</p> <p>15 Q The GLK?</p> <p>16 A Right.</p> <p>17 Q So was the amount -- so the original plan</p> <p>18 was that you would get a trade-in credit and trade</p> <p>19 the car in?</p> <p>20 A Yes.</p> <p>21 Q And then that plan changed at some point</p> <p>22 before the purchase was finalized?</p>	45	<p>1 about the night of the repossession of the BMW.</p> <p>2 A Uh-huh.</p> <p>3 Q Was it a Monday night?</p> <p>4 A Yes.</p> <p>5 Q Who was at home?</p> <p>6 A I was at home with my kids.</p> <p>7 Q Was your husband at home?</p> <p>8 A No.</p> <p>9 Q Do you know where he was?</p> <p>10 A I don't know.</p> <p>11 Q And I know you described this in your</p> <p>12 interrogatories, but can you describe briefly what</p> <p>13 happened or what you observed that night?</p> <p>14 A It was the middle of the night. The</p> <p>15 doorbell rang. The guy said, Give me the keys to</p> <p>16 the white BMW. I went outside. There were two</p> <p>17 guys. He said he was there for Dave. I don't know</p> <p>18 who Dave is. He said, Give me the keys to the BMW.</p> <p>19 I called my husband. He said, No, don't give him</p> <p>20 the keys. He goes, That's your car. He's like,</p> <p>21 Call the police. I told the guy I was calling the</p> <p>22 police, and he already had the car hooked up to the</p>

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46	<p>1 tow truck. When I went to call the police, the guy</p> <p>2 left. I told him to leave, and then when I called</p> <p>3 the police -- when I told him I was calling the</p> <p>4 police, they left.</p> <p>5 Q And he left with the vehicle?</p> <p>6 A Uh-huh, yes. He didn't tell me his name.</p> <p>7 He didn't give me a business card. He didn't -- he</p> <p>8 didn't say anything. All he said was, I'm there</p> <p>9 for Dave.</p> <p>10 Q And when you talked to your husband that</p> <p>11 night, did he say anything else about why the car</p> <p>12 might be being repossessed?</p> <p>13 A No, the only thing he said is, No. He</p> <p>14 said, That's your car. He said, Tell him to leave,</p> <p>15 that you're calling the police.</p> <p>16 Q Had your husband up to that point told</p> <p>17 you anything about any issues at BW Auto?</p> <p>18 A No.</p> <p>19 Q And after that did your husband tell you</p> <p>20 anything more about what was going on at BW Auto?</p> <p>21 A The only thing he told me was that the</p> <p>22 car was taken because of BW.</p>	48	<p>1 issues at BW involving duplicate titles being</p> <p>2 obtained?</p> <p>3 A No.</p> <p>4 Q Are there any conversations you've had</p> <p>5 with your husband after repossession of the vehicle</p> <p>6 about BW Auto that you can recall?</p> <p>7 A About BW?</p> <p>8 Q Auto.</p> <p>9 A Only regarding my case.</p> <p>10 Q Has he told you anything about the</p> <p>11 Maryland litigation?</p> <p>12 A No.</p> <p>13 Q And what has he told you about this case?</p> <p>14 A Just that -- told me about this case? I</p> <p>15 mean, we've talked about, I mean, I bought a car,</p> <p>16 you guys took my car, it's been six months, I want</p> <p>17 my car back.</p> <p>18 Q Can we talk a little bit about the</p> <p>19 property that you have alleged was in the car at</p> <p>20 the time it was repossessed? Is it your contention</p> <p>21 there was a Cartier watch in the car?</p> <p>22 A Yes.</p>
47	<p>1 Q Did he give you any details about what</p> <p>2 was going on at BW with you?</p> <p>3 A No.</p> <p>4 Q Has he ever said anything to you about</p> <p>5 Mr. Molavi or Ms. Nozary about what -- about any</p> <p>6 actions they have taken at BW Auto?</p> <p>7 A No.</p> <p>8 Q Did your husband come home after that</p> <p>9 incident?</p> <p>10 A After I called him?</p> <p>11 Q Yeah, that night.</p> <p>12 A Yes.</p> <p>13 Q He got there after -- did he get there</p> <p>14 after the repossession, P.A.R. had left?</p> <p>15 A Yes.</p> <p>16 Q Did your husband continue reporting to</p> <p>17 work after that.</p> <p>18 A I don't know.</p> <p>19 Q Do you know the last time your husband</p> <p>20 went to BW Auto to work?</p> <p>21 A I have no idea.</p> <p>22 Q Has your husband told you anything about</p>	49	<p>1 Q When did you get the watch?</p> <p>2 A It was my husband's watch.</p> <p>3 Q Was it a watch that you wore?</p> <p>4 A Yes.</p> <p>5 Q Can you describe it generally?</p> <p>6 A It was a Cartier Pasha with diamonds</p> <p>7 around the bezel.</p> <p>8 Q And --</p> <p>9 MR. MARKELS: Around the what?</p> <p>10 THE WITNESS: Around the bezel, around</p> <p>11 the edge.</p> <p>12 MR. MARKELS: I didn't know there was a</p> <p>13 technical term for that.</p> <p>14 BY MR. BRAGDON:</p> <p>15 Q And do you know when your husband got</p> <p>16 that watch?</p> <p>17 A I don't know.</p> <p>18 Q And when did you start wearing it?</p> <p>19 A I've been wearing it the last ten years</p> <p>20 on and off.</p> <p>21 Q Do you know how much it cost?</p> <p>22 A No.</p>

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50	<p>1 Q Was it ever appraised?</p> <p>2 A Yes.</p> <p>3 Q Was that for insurance purposes?</p> <p>4 A Yes.</p> <p>5 Q Do you have a copy of that appraisal?</p> <p>6 A The appraisal, no. The insurance doesn't</p> <p>7 have it anymore.</p> <p>8 Q Do you have a copy of an insurance</p> <p>9 statement where the appraisal is listed?</p> <p>10 A Yes.</p> <p>11 Q Did you wear it every day?</p> <p>12 A No.</p> <p>13 Q How often did you wear it?</p> <p>14 A Maybe once every couple weeks.</p> <p>15 Q And where did you keep it in between</p> <p>16 wearing it?</p> <p>17 A In my closet.</p> <p>18 Q Were you wearing it the Monday that the</p> <p>19 BMW was repossessed?</p> <p>20 A Yes.</p> <p>21 Q Did you wear it to work that day?</p> <p>22 A Yes.</p>	52	<p>1 regular practice to leave it in the car, though?</p> <p>2 A I mean, I'm sure I've left it in my car</p> <p>3 before, yes. Is it my regular practice? I</p> <p>4 couldn't say that that's my regular practice.</p> <p>5 Q You also say you left a gym bag in the</p> <p>6 car, in the BMW?</p> <p>7 A Uh-huh.</p> <p>8 Q Would that have had your gym clothes in</p> <p>9 it?</p> <p>10 A It just had an extra set of gym clothes.</p> <p>11 Q So you didn't -- is it that since there's</p> <p>12 no locker room, did you change after the workout or</p> <p>13 did you just have --</p> <p>14 A I just always kept an extra gym bag in</p> <p>15 the car.</p> <p>16 Q And what were the -- what was in that gym</p> <p>17 bag?</p> <p>18 A I just always kept a pair of tennis</p> <p>19 shoes, pants, sports bra, shirt, and a sweatshirt.</p> <p>20 Q And you also said there was rent money in</p> <p>21 the car?</p> <p>22 A Yes.</p>
51	<p>1 Q And you said that you went to the gym</p> <p>2 after work?</p> <p>3 A Yes.</p> <p>4 Q And you kept the watch in the car while</p> <p>5 you were in the gym?</p> <p>6 A Yes.</p> <p>7 Q Did you put the watch back on after</p> <p>8 leaving the gym?</p> <p>9 A No.</p> <p>10 Q And where did you keep it in the car?</p> <p>11 A In the center console.</p> <p>12 Q Do you know why you left the watch or you</p> <p>13 have alleged you left the watch in the car</p> <p>14 overnight?</p> <p>15 A Why I left it in that night? I just -- I</p> <p>16 took it off because I go to the gym. I take</p> <p>17 boxing. The gym I go to doesn't have a locker</p> <p>18 room, so I left it in the car. When I got home, I</p> <p>19 must have left it in the car. I didn't think about</p> <p>20 grabbing it. I didn't think my car was going to be</p> <p>21 taken from my driveway.</p> <p>22 Q Is it fair to say that it wasn't your</p>	53	<p>1 Q And that was cash?</p> <p>2 A Yes.</p> <p>3 Q Were there any checks?</p> <p>4 A No.</p> <p>5 Q Do you know who paid that rent money that</p> <p>6 was in the car?</p> <p>7 A The tenants that pay cash. I can get --</p> <p>8 you mean, you want the tenant's names?</p> <p>9 Q Are there certain tenants that you have</p> <p>10 that pay cash?</p> <p>11 A Yes.</p> <p>12 Q And others that pay by check?</p> <p>13 A Yes.</p> <p>14 Q And so the tenants who pay by cash, do</p> <p>15 you collect it from them personally?</p> <p>16 A The property manager that I have in</p> <p>17 Winchester collects the cash.</p> <p>18 Q And how much rent money was in the car</p> <p>19 when it was repossessed?</p> <p>20 A I think it was 2,375.</p> <p>21 Q And was that one month's rent from</p> <p>22 multiple tenants?</p>

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54	<p>1 A Yes.</p> <p>2 Q Do you know, which tenants were they?</p> <p>3 You can just say their last name.</p> <p>4 A I'd have to go back and look and see</p> <p>5 which ones they are.</p> <p>6 Q Is that rent for three properties or two</p> <p>7 properties?</p> <p>8 A I think it was two.</p> <p>9 Q And when did you pick up that cash?</p> <p>10 A It was the weekend before.</p> <p>11 Q And what was your usual practice for</p> <p>12 handling cash rent payments?</p> <p>13 A She collects it, and then when I see her,</p> <p>14 she gives it to me and then I take it to the bank.</p> <p>15 Q And what bank do you go to?</p> <p>16 A SunTrust.</p> <p>17 Q And do you know when that weekend before</p> <p>18 the repossession you met with the property manager?</p> <p>19 A That Sunday.</p> <p>20 Q And what's her name?</p> <p>21 A Mitzi Davis.</p> <p>22 Q And where did you meet with her?</p>	56	<p>1 A Common, no.</p> <p>2 Q What vehicle did you drive here today?</p> <p>3 A The Porsche.</p> <p>4 Q I guess, what other damages have you</p> <p>5 incurred as a result of the repossession? I</p> <p>6 think -- let me take that back.</p> <p>7 Was there any other property that I</p> <p>8 haven't mentioned that was in the car?</p> <p>9 A The car seat.</p> <p>10 Q So, actually, there was the car seat that</p> <p>11 you mentioned, phone chargers. Was there anything</p> <p>12 else other than that?</p> <p>13 A And boxing gloves. I think that was it.</p> <p>14 Q So what other damages are you alleging</p> <p>15 that the repossession caused you, monetary damages?</p> <p>16 A Monetary damages? The fact that I'm</p> <p>17 paying for another car. I'm paying for a car that</p> <p>18 I don't have. I'm paying legal fees. I'm taking</p> <p>19 time off work.</p> <p>20 Q And is PenFed continuing to require you</p> <p>21 to make payments on the car?</p> <p>22 A I have made payments. I have had some</p>
55	<p>1 A At her house.</p> <p>2 Q Is that in Virginia?</p> <p>3 A Winchester, Virginia.</p> <p>4 Q And what day -- was it normal that you'd</p> <p>5 be picking up the rent from her in the middle of</p> <p>6 the month?</p> <p>7 A Most of the tenants don't pay until the</p> <p>8 10th.</p> <p>9 Q Would you normally keep the rent money in</p> <p>10 the car, in your car?</p> <p>11 A Normally? I don't know if I'd say</p> <p>12 normally. She gave it to me. I had it in the car.</p> <p>13 Q Well, let me ask you this, do you have a</p> <p>14 safe in your home?</p> <p>15 A Yes, but I don't put rent money in my</p> <p>16 safe at home.</p> <p>17 Q Do you keep jewelry in the safe or</p> <p>18 valuable documents or what do you keep in the safe?</p> <p>19 A To be honest with you, I have \$2 bills in</p> <p>20 my safe at home right now.</p> <p>21 Q I guess, was it common that you would</p> <p>22 have rent money in the car overnight?</p>	57	<p>1 payments deferred. I'm paying car insurance.</p> <p>2 Q Has there been any negative action on</p> <p>3 your credit in the last year that you know of?</p> <p>4 A My credit score has dropped.</p> <p>5 Q And why is that?</p> <p>6 A Because of the balance.</p> <p>7 Q To your knowledge, has PenFed declared a</p> <p>8 default of any of your loans with them?</p> <p>9 A No.</p> <p>10 Q And just to be clear, you're not paying</p> <p>11 your sister to use her car?</p> <p>12 A No.</p> <p>13 Q And is she paying for any other car or</p> <p>14 does she have another car she can use?</p> <p>15 A She has another car.</p> <p>16 Q And do you know how many car payments</p> <p>17 have been deferred?</p> <p>18 A Three, I think.</p> <p>19 Q Have those been three consecutive</p> <p>20 payments?</p> <p>21 A No.</p> <p>22 Q Are you expecting to make a car payment</p>

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58	<p>1 for the month of -- for the next month?</p> <p>2 A I don't know yet.</p> <p>3 Q Is it just the bank tells you every month</p> <p>4 whether they need you to pay or not?</p> <p>5 A I haven't heard back yet.</p> <p>6 Q And when you did hear -- of course don't</p> <p>7 tell me anything that your attorney told you, but</p> <p>8 when you did hear that you were going to have</p> <p>9 payments deferred, was it someone other than your</p> <p>10 attorney who told you that?</p> <p>11 A No.</p> <p>12 Q Were there any other conversations you</p> <p>13 had prior to the repossession -- I'll say prior to</p> <p>14 the purchase of the vehicle with your husband about</p> <p>15 the procedure for purchasing the car that we</p> <p>16 haven't talked about today?</p> <p>17 A No.</p> <p>18 MR. BRAGDON: I'll go over my notes. I</p> <p>19 may not have very many more questions for you. I</p> <p>20 think it will make sense to let Mr. Markels see if</p> <p>21 he has any questions.</p> <p>22 MR. MARKELS: I do. Do you want to look</p>	60	<p>1 A No.</p> <p>2 Q You stated that what has been marked as</p> <p>3 Mahdavi -- well, in Exhibit Number 3, what is the</p> <p>4 very first page of Exhibit 3, that's your</p> <p>5 Certificate of Title. Is that the only evidence of</p> <p>6 title that you've seen regarding the BMW to date?</p> <p>7 A Yes.</p> <p>8 Q Do you have any indication that NextGear</p> <p>9 ever authorized the sale of the BMW to anybody?</p> <p>10 A Repeat your question.</p> <p>11 Q Do you have any evidence to indicate that</p> <p>12 NextGear ever authorized the sale of the BMW to</p> <p>13 anybody?</p> <p>14 MR. LEVINE: Objection to form.</p> <p>15 THE WITNESS: I don't know. I don't --</p> <p>16 not that I know of. I don't know.</p> <p>17 BY MR. MARKELS:</p> <p>18 Q All right. Have you seen as part of the</p> <p>19 document production in this case prior title held</p> <p>20 by NextGear to the BMW?</p> <p>21 A No. Have I seen it?</p> <p>22 Q Yes.</p>
59	<p>1 over your notes first before I ask my questions?</p> <p>2 MR. BRAGDON: I'll just wait for -- I'll</p> <p>3 ask after you, if that's okay.</p> <p>4 EXAMINATION BY COUNSEL FOR DEFENDANT,</p> <p>5 P.A.R.</p> <p>6 BY MR. MARKELS:</p> <p>7 Q Good morning, Ms. Mahdavi. My name is</p> <p>8 James Markels. I represent P.A.R. Services, Inc.</p> <p>9 I just have a few questions just to make sure that</p> <p>10 the record is clear.</p> <p>11 You said that you did not fill out the</p> <p>12 application for title for the BMW, correct?</p> <p>13 A Yes.</p> <p>14 Q Do you know who did?</p> <p>15 A I don't know. I -- my husband, I assume.</p> <p>16 Q You assume your husband or somebody at BW</p> <p>17 Auto Outlet?</p> <p>18 A Yes.</p> <p>19 Q Did you ever see the application for</p> <p>20 title?</p> <p>21 A No.</p> <p>22 Q Have you ever seen any prior title to the</p> <p>23 BMW?</p>	61	<p>1 A No.</p> <p>2 Q You've not seen any of the document</p> <p>3 production that NextGear produced in this case?</p> <p>4 It's not before you, but --</p> <p>5 A I may have. I don't remember. I don't</p> <p>6 remember.</p> <p>7 Q Okay. You do not remember seeing any</p> <p>8 Certificate of Title to the BMW in NextGear's name?</p> <p>9 A No.</p> <p>10 Q Are you aware that in order to get a</p> <p>11 Certificate of Title from the Maryland Vehicle</p> <p>12 Administration you have to submit prior title?</p> <p>13 MR. LEVINE: Objection, speculation.</p> <p>14 BY MR. MARKELS:</p> <p>15 Q Are you aware?</p> <p>16 A No.</p> <p>17 Q Okay. Now, you say during your -- oh,</p> <p>18 did you ever have a conversation with your husband</p> <p>19 or anyone at BW Auto Outlet about who the prior</p> <p>20 owner of the BMW was?</p> <p>21 A I didn't.</p> <p>22 Q You were aware that the BMW was a used</p>

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62	<p>1 car, right?</p> <p>2 A Yes.</p> <p>3 Q Was it your assumption when you purchased</p> <p>4 it that BW Auto Outlet was the owner of the car?</p> <p>5 A Yes, I assumed BW was the owner of the</p> <p>6 car.</p> <p>7 Q Okay. Did you ever at any time ask them</p> <p>8 to see title to the car in their name?</p> <p>9 A No.</p> <p>10 Q Was that ever provided to you?</p> <p>11 A No.</p> <p>12 Q Did they ever make that representation to</p> <p>13 you?</p> <p>14 A No.</p> <p>15 Q Now, you said that the address on the</p> <p>16 Maryland Certificate of Title for the BMW in your</p> <p>17 name, that address is simply a prior address that</p> <p>18 Maryland had on file for you?</p> <p>19 A Uh-huh.</p> <p>20 Q That's a yes?</p> <p>21 A Yes.</p> <p>22 Q And that was for which car?</p>	64
63	<p>1 A The address?</p> <p>2 Q Yes.</p> <p>3 A It was for the GLK.</p> <p>4 Q Now, speaking of the GLK, you said that</p> <p>5 originally your intention was to trade it in as</p> <p>6 part of the purchase for the BMW, correct?</p> <p>7 A Yes.</p> <p>8 Q Could you look on Exhibit Number 3, what</p> <p>9 is Mahdavi 19? Do you see that?</p> <p>10 A Yes.</p> <p>11 Q Is that the Retail Purchase Agreement for</p> <p>12 the BMW?</p> <p>13 A Yes.</p> <p>14 Q It was your understanding -- is that your</p> <p>15 signature on the bottom left?</p> <p>16 A Yes.</p> <p>17 Q If you would turn it over to Mahdavi 20,</p> <p>18 was the information on the back of this also part</p> <p>19 of that retail sales agreement?</p> <p>20 A Yes.</p> <p>21 Q And is that your signature at the bottom</p> <p>22 there?</p>	65

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66	<p>1 balance owed on your trade-in, right?</p> <p>2 A Yes.</p> <p>3 Q And, in fact, if we look at what is</p> <p>4 Mahdavi 79, if you would take a look at that.</p> <p>5 A Uh-huh.</p> <p>6 Q That is the check you produced that was</p> <p>7 issued by Pentagon Federal Credit Union in the</p> <p>8 amount of \$64,941.70, right?</p> <p>9 A Yes.</p> <p>10 Q So they paid the amount that is set forth</p> <p>11 on Mahdavi 19, correct?</p> <p>12 A Yes.</p> <p>13 Q Now, you've said that in May of 2014,</p> <p>14 some two months after this Retail Purchase</p> <p>15 Agreement was signed, and two months -- a month</p> <p>16 after the Pentagon Federal Credit Union check was</p> <p>17 issued that the trade-in fell through, the GLK came</p> <p>18 back to your house?</p> <p>19 A I don't remember exactly when the GLK</p> <p>20 came back or when the trade-in didn't happen. I</p> <p>21 didn't know that the trade-in didn't happen. My</p> <p>22 husband is the one that knew that the trade-in</p>	68	<p>1 against BW Outlet for failure to sell you good</p> <p>2 title to the BMW?</p> <p>3 MR. LEVINE: Objection, foundation.</p> <p>4 BY MR. MARKELS:</p> <p>5 Q Go ahead and answer.</p> <p>6 A No, I have not. Not yet.</p> <p>7 Q Have you discussed with your husband why</p> <p>8 BW Auto Outlet has not paid you the \$12,466?</p> <p>9 A No.</p> <p>10 Q You have not?</p> <p>11 A No.</p> <p>12 Q Do you know if he still works there?</p> <p>13 A I don't know. Not that I know of. I</p> <p>14 don't think it's there anymore.</p> <p>15 Q You don't think it's a going concern</p> <p>16 anymore?</p> <p>17 A No, I don't -- I don't think BW is there</p> <p>18 anymore.</p> <p>19 Q I'm sorry. What do you mean by that?</p> <p>20 A I don't know. I don't think my husband</p> <p>21 works there anymore.</p> <p>22 Q You think it's out of business, closed up</p>
67	<p>1 didn't happen. So he brought the GLK came home.</p> <p>2 Q All right. And you still have title to</p> <p>3 the GLK, correct?</p> <p>4 A Yes.</p> <p>5 Q So I'm going to ask you, what happened to</p> <p>6 the \$12,466 that should have been refunded?</p> <p>7 A I am out that \$12,000.</p> <p>8 Q And who has that money?</p> <p>9 A Baltimore Washington.</p> <p>10 Q BW Auto Outlet, right?</p> <p>11 A Yes.</p> <p>12 Q And have you requested that they refund</p> <p>13 you that money?</p> <p>14 A Not yet. I mean, I'm just trying to get</p> <p>15 my car back is my first step, but, yes, I'm out</p> <p>16 that \$12,000.</p> <p>17 Q And you have not filed any suit to</p> <p>18 recover that \$12,466?</p> <p>19 A I just told you, I'm trying to get my car</p> <p>20 back. Yes, I -- yes, I would like to get that</p> <p>21 \$12,000 back, too.</p> <p>22 Q All right. And you have not filed suit</p>	69	<p>1 shop?</p> <p>2 A I don't know anything about BW. I don't</p> <p>3 know if it's in business or if it's not in</p> <p>4 business.</p> <p>5 Q Okay. Did your husband ever tell you</p> <p>6 that he was fired from BW Auto Outlet or that --</p> <p>7 A No, he did not say he was fired from BW</p> <p>8 Auto Outlet.</p> <p>9 Q Okay. Now, you say you don't know</p> <p>10 anything about his income?</p> <p>11 A That's what I said, yes.</p> <p>12 Q And so you don't know whether he was ever</p> <p>13 paid from BW Auto Outlet?</p> <p>14 A He was paid from BW.</p> <p>15 Q How much?</p> <p>16 A I have no idea.</p> <p>17 Q How do you know he was paid?</p> <p>18 A I've seen a W-2.</p> <p>19 Q So you've seen paperwork from BW Auto</p> <p>20 Outlet indicating that they have paid monies to</p> <p>21 Mr. Mahdavi?</p> <p>22 A It was years ago. I've seen a W-2 for</p>

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70	<p>1 it, but I have no idea, like, how much it was.</p> <p>2 Q Have you ever seen his tax returns?</p> <p>3 A No, we don't file joint returns.</p> <p>4 Q How long have you been filing separately?</p> <p>5 A I don't think we've ever filed joint</p> <p>6 returns.</p> <p>7 Q It's also true that the \$12,466 that BW</p> <p>8 Auto Outlet has has never been paid to PenFed,</p> <p>9 right?</p> <p>10 MR. LEVINE: Objection, foundation, calls</p> <p>11 for speculation.</p> <p>12 THE WITNESS: To my knowledge, it has not</p> <p>13 been paid to PenFed.</p> <p>14 BY MR. BRAGDON:</p> <p>15 Q You have produced as part of Exhibit</p> <p>16 Number 3 your statements from PenFed, and if you'd</p> <p>17 like to go through them again, that's fine, but</p> <p>18 would you agree with me that none of those</p> <p>19 statements reflect any payment of \$12,466 to</p> <p>20 PenFed?</p> <p>21 A They do not.</p> <p>22 Q Now, you did say that at one point your</p>	72	<p>1 insured for.</p> <p>2 BY MR. MARKELS:</p> <p>3 Q And that insurance was for a value,</p> <p>4 correct?</p> <p>5 A Yes.</p> <p>6 Q And that value was pursuant to the</p> <p>7 insurance company appraising the approximate value</p> <p>8 of the Cartier watch?</p> <p>9 A Yes.</p> <p>10 Q Okay. If you have not yet given that</p> <p>11 document to your counsel, I ask that you do so,</p> <p>12 that it be produced in this case.</p> <p>13 Now, during the date of the repossession,</p> <p>14 do you agree that that occurred in the early</p> <p>15 morning hours of May 20th of 2014?</p> <p>16 A May 20th, yes.</p> <p>17 Q Okay. Around, say, like 1:30 in the</p> <p>18 morning or something like that?</p> <p>19 A Somewhere around in there, yes.</p> <p>20 Q You said that there were two gentlemen</p> <p>21 who showed up?</p> <p>22 A Yes.</p>
71	<p>1 Cartier watch was appraised for insurance purposes?</p> <p>2 A Uh-huh, yes.</p> <p>3 Q And that you do have a copy of something,</p> <p>4 one of those insurance documents that has that</p> <p>5 appraisal value on it?</p> <p>6 A The insurance value that it's insured</p> <p>7 for.</p> <p>8 Q Okay. Have you given that to your</p> <p>9 counsel to be produced in this case as an indicator</p> <p>10 of the Cartier watch's value?</p> <p>11 A Yes.</p> <p>12 MR. MARKELS: Has that been produced,</p> <p>13 Counsel?</p> <p>14 MR. LEVINE: I don't know. I'd have to</p> <p>15 look and see what was produced.</p> <p>16 MR. MARKELS: James, do you recall that</p> <p>17 being in here?</p> <p>18 MR. BRAGDON: We can address it, but I</p> <p>19 haven't seen it.</p> <p>20 MR. MARKELS: Okay.</p> <p>21 THE WITNESS: There was never an</p> <p>22 appraisal. It was just an insurance, what it's</p>	73	<p>1 Q Now, when did it become clear to you that</p> <p>2 this was a repossession of your car as opposed to</p> <p>3 just some people stealing it?</p> <p>4 A When they knocked on the door and asked</p> <p>5 for the keys.</p> <p>6 Q Okay. Did they have any indicia of who</p> <p>7 they worked for on them, on their outfits? Did</p> <p>8 they give you a card, any other information?</p> <p>9 A No.</p> <p>10 Q All right. Now, did you -- after they</p> <p>11 left, did you chase them?</p> <p>12 A I have three kids, small kids inside.</p> <p>13 No, I did not chase them.</p> <p>14 Q Do you know if your husband ever tried to</p> <p>15 pursue them?</p> <p>16 A My husband was not at home. I called him</p> <p>17 on the phone. I don't know.</p> <p>18 Q Where was he at the time?</p> <p>19 A I don't know. He wasn't home.</p> <p>20 Q He wasn't at work?</p> <p>21 A It was 1:30 in the morning. I don't</p> <p>22 know.</p>

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74	<p>1 Q Okay. He hadn't told you where he was?</p> <p>2 MR. LEVINE: Objection, asked and</p> <p>3 answered.</p> <p>4 THE WITNESS: No.</p> <p>5 BY MR. MARKELS:</p> <p>6 Q All right. Now, to your knowledge,</p> <p>7 nobody in any vehicle or on foot pursued the men</p> <p>8 who repoed your car?</p> <p>9 A No, my husband met up with the police and</p> <p>10 the men, the people who had the car.</p> <p>11 Q Now, you said as this was going on you</p> <p>12 called the police, correct?</p> <p>13 A No, I told the men standing there to</p> <p>14 leave, that I was going to call the police, and</p> <p>15 that's when they left.</p> <p>16 Q Did you ever -- did you call the police</p> <p>17 at that time?</p> <p>18 A No, I hung up the phone. They left --</p> <p>19 they were leaving. I called my husband and said</p> <p>20 that they left. That's when he got on the phone</p> <p>21 with the police and they tracked them down.</p> <p>22 Q To your knowledge, have the police taken</p>	76	<p>1 MR. BRAGDON: The P.A.R. one.</p> <p>2 THE WITNESS: It's this one.</p> <p>3 MR. LEVINE: Exhibit 2 is how we have it.</p> <p>4 MR. MARKELS: Oh, you're on another</p> <p>5 exhibit. I thought it was switched around. That's</p> <p>6 fine.</p> <p>7 THE WITNESS: Which page are we on?</p> <p>8 MR. LEVINE: Page 5.</p> <p>9 BY MR. MARKELS:</p> <p>10 Q Page 5. Page 5 of Exhibit 2. Now,</p> <p>11 although the copies that we have before us are not</p> <p>12 signed by you, you agree that you did sign these</p> <p>13 particular answers to these supplemental</p> <p>14 interrogatory answers, right?</p> <p>15 A Yes.</p> <p>16 Q Now, in your supplemental answer you</p> <p>17 state that you received title for the BMW. Do you</p> <p>18 see that?</p> <p>19 A Yes.</p> <p>20 Q Now, when you say you received title for</p> <p>21 the BMW, you mean that what was in Exhibit 3 as</p> <p>22 Mahdavi 1 was received to you in the mail, correct?</p>
75	<p>1 any action against P.A.R. Services or NextGear or</p> <p>2 anybody else with regard to that car?</p> <p>3 A Not to my knowledge.</p> <p>4 Q Do you know whether your husband was a</p> <p>5 salaried employee of BW Outlet or was on</p> <p>6 commission? Do you have any idea?</p> <p>7 A I don't know.</p> <p>8 Q Was he responsible for paying any of the</p> <p>9 household obligations?</p> <p>10 A He pays the mortgage.</p> <p>11 Q That's the only thing he's in charge of?</p> <p>12 A Yes.</p> <p>13 Q Now, let's look at Exhibit Number 1, your</p> <p>14 answer to Interrogatory No. 7, which is on Page 5.</p> <p>15 Do you see that this is Interrogatory No. 7 about,</p> <p>16 "Set forth all facts in support of the allegations</p> <p>17 of Paragraph 31 of your complaint." Looking at</p> <p>18 Exhibit Number 1.</p> <p>19 MR. LEVINE: Exhibit Number 1. You mean</p> <p>20 Exhibit 2?</p> <p>21 MR. MARKELS: I'm looking for Jodi</p> <p>22 Mahdavi's Supplemental Responses to P.A.R Services.</p>	77	<p>1 A Yes.</p> <p>2 Q And we already talked about you did not</p> <p>3 file any application or receive prior title to the</p> <p>4 BMW at any time, correct?</p> <p>5 A Yes.</p> <p>6 Q All right. If you would turn to Page 6</p> <p>7 of that same -- of Exhibit 2, you see where under</p> <p>8 the supplemental answer it says, "Subject to and</p> <p>9 without waiving the prior objections, on or about</p> <p>10 May 21, 2014, I spoke to Deb McCloud on the</p> <p>11 telephone about the BMW being repossessed and she</p> <p>12 transferred my call to Kerry Howard." Do you see</p> <p>13 that?</p> <p>14 A Yes.</p> <p>15 Q Are you sure that was on the 21st and not</p> <p>16 on the 20th?</p> <p>17 A Yes. The 20th was the day the car was</p> <p>18 taken.</p> <p>19 Q Right, the very early morning of the</p> <p>20 20th, right.</p> <p>21 A Yes.</p> <p>22 Q So you did not contact PenFed the entire</p>

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78	<p>1 day of the 20th and you waited until the 21st?</p> <p>2 A No, because I was waiting for my husband</p> <p>3 to figure out what was going on.</p> <p>4 Q Okay. So you did not alert PenFed in any</p> <p>5 way about the repossession until the 21st? That's</p> <p>6 your position?</p> <p>7 A Yes.</p> <p>8 Q So if PenFed had, in fact, contacted</p> <p>9 P.A.R. Services about the BMW on the 20th, it was</p> <p>10 not due to any communication by you or your</p> <p>11 husband?</p> <p>12 A It wasn't from me.</p> <p>13 Q Do you know if your husband contacted</p> <p>14 PenFed?</p> <p>15 A I don't know.</p> <p>16 Q Did he tell you that he ever contacted</p> <p>17 PenFed on the 20th?</p> <p>18 A He didn't tell me.</p> <p>19 Q All right.</p> <p>20 A But I know on the next day he was trying</p> <p>21 to figure out what happened and how to get the car</p> <p>22 back.</p>	80	<p>1 A I don't -- in the other case? I don't</p> <p>2 know.</p> <p>3 Q At any time.</p> <p>4 A I don't know.</p> <p>5 Q Are you aware that your husband has been</p> <p>6 asked questions about BW Auto Outlet's practices in</p> <p>7 selling cars?</p> <p>8 A I don't -- I don't know.</p> <p>9 MR. LEVINE: I'm going to object to the</p> <p>10 extent that any conversations that I may have had</p> <p>11 with my client about what's going on with that</p> <p>12 matter.</p> <p>13 BY MR. MARKELS:</p> <p>14 Q Of course. You're aware that there is</p> <p>15 litigation pending in Maryland between NextGear and</p> <p>16 BW Auto Outlet, correct?</p> <p>17 A Just what I've seen here, yes.</p> <p>18 Q Okay. Are you aware that your husband's</p> <p>19 deposition has been taken in that case?</p> <p>20 A I don't know. I don't -- I don't know if</p> <p>21 his deposition has been taken.</p> <p>22 Q Okay. He's never indicated to you that</p>
79	<p>1 Q Did he ever explain to you anything about</p> <p>2 a loan with NextGear that BW Auto had?</p> <p>3 MR. LEVINE: Objection, asked and</p> <p>4 answered.</p> <p>5 THE WITNESS: No.</p> <p>6 BY MR. MARKELS:</p> <p>7 Q Did he ever explain to you anything about</p> <p>8 a floor lease or a floor loan?</p> <p>9 A No.</p> <p>10 Q Did he ever tell you about how title to</p> <p>11 cars that were held by BW Auto Outlet were handled?</p> <p>12 A No.</p> <p>13 Q Did he ever tell you the process by which</p> <p>14 BW Auto Outlet obtained title to sell to</p> <p>15 purchasers?</p> <p>16 A No.</p> <p>17 Q You're aware that your husband has pled</p> <p>18 the Fifth with regard to BW Auto Outlet sales of</p> <p>19 cars from its lot?</p> <p>20 A I don't know.</p> <p>21 Q You don't know if he's ever pled the</p> <p>22 Fifth?</p>	81	<p>1 he was having his deposition taken or that a</p> <p>2 deposition has happened?</p> <p>3 A No.</p> <p>4 Q You understand what the Fifth Amendment</p> <p>5 of the US Constitution provides with regard to a</p> <p>6 person giving testimony under -- or giving sworn</p> <p>7 testimony?</p> <p>8 A Technically, no, not really. I mean, no,</p> <p>9 not really.</p> <p>10 Q All right. Have you reviewed the</p> <p>11 affidavit by Lisa Long that was attached by</p> <p>12 NextGear Capital to their Opposition to Motion for</p> <p>13 Preliminary Injunction filed in this case?</p> <p>14 A I vaguely remember seeing something, but</p> <p>15 I don't -- without looking at it, I don't remember</p> <p>16 exactly.</p> <p>17 Q Okay. Is it your understanding that</p> <p>18 NextGear Capital has taken the position in this</p> <p>19 case that it had the original title to this BMW and</p> <p>20 never authorized that it be sold to anybody?</p> <p>21 A That's their -- yes, that's their stance.</p> <p>22 Q Okay. And are you aware of anyone at BW</p>

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82	<p>1 Auto Outlet who has given any testimony or evidence</p> <p>2 that that is incorrect?</p> <p>3 A Not that I know of.</p> <p>4 Q You own several real properties, as we've</p> <p>5 discussed before. Are you familiar with the term</p> <p>6 chain of title?</p> <p>7 A Chain of title?</p> <p>8 MR. LEVINE: Objection, calls for a legal</p> <p>9 response.</p> <p>10 BY MR. MARKELS:</p> <p>11 Q Are you familiar with the term?</p> <p>12 A No.</p> <p>13 Q If you look at Exhibit Number 1, that is</p> <p>14 your interrogatory answers to NextGear's requests,</p> <p>15 Page 4. Do you see at the top it says,</p> <p>16 Interrogatory No. 5?</p> <p>17 A Uh-huh.</p> <p>18 Q "State the substance of all discussions</p> <p>19 concerning the occurrence that you had with any</p> <p>20 party to the case," right?</p> <p>21 A Yes.</p> <p>22 Q Do you see under the answer it says,</p>	84	<p>1 that.</p> <p>2 Have you had any discussions with</p> <p>3 Mr. Molavi about the repossession of your car?</p> <p>4 A No.</p> <p>5 Q Or Ms. Nozary?</p> <p>6 A No, I have not had any discussions with</p> <p>7 her.</p> <p>8 Q How about anyone else at BW Auto Outlet?</p> <p>9 A No.</p> <p>10 Q So the only person you've talked to since</p> <p>11 the repossession of your car that was affiliated</p> <p>12 with BW Auto Outlet at any time was your husband?</p> <p>13 A Yes.</p> <p>14 Q Did your husband advise you to file suit</p> <p>15 to recover the BMW?</p> <p>16 MR. LEVINE: I'm going to object there on</p> <p>17 spousal privilege and any conversations that would</p> <p>18 have happened about what she should do.</p> <p>19 MR. MARKELS: Are you directing her not</p> <p>20 to answer?</p> <p>21 MR. LEVINE: I'm making the objection. I</p> <p>22 don't know what her answer is.</p>
83	<p>1 "Subject to and without waiving the objections, on</p> <p>2 or about May 21, 2014, around one in the morning, I</p> <p>3 was at home and my doorbell rang." Do you see</p> <p>4 that?</p> <p>5 A Yes.</p> <p>6 Q It's your understanding now that it did</p> <p>7 not happen on May 21st? It actually happened on</p> <p>8 May 20th?</p> <p>9 A May 20th is -- was it Tuesday? I'd have</p> <p>10 to look at a calendar. Was May 21st a Tuesday?</p> <p>11 Q Let me just verify that really quickly if</p> <p>12 that would help. May 21st is a Wednesday, was a</p> <p>13 Wednesday.</p> <p>14 A So then it is May 20th.</p> <p>15 Q Okay. Now, since the repossession of</p> <p>16 your car, what has your husband told you with</p> <p>17 regard to -- regarding the title to the BMW?</p> <p>18 A He hasn't told me anything.</p> <p>19 Q Have you asked him whether or not you</p> <p>20 have good title to the BMW?</p> <p>21 A He said it's my car. I bought the car.</p> <p>22 Q Did he ever describe to you -- strike</p>	85	<p>1 BY MR. MARKELS:</p> <p>2 Q Okay. Go ahead and answer.</p> <p>3 A I don't really know. I mean, I think we</p> <p>4 tried to get the car back, and when that didn't</p> <p>5 happen, this was our next step, to legally try to</p> <p>6 go get the car back.</p> <p>7 Q So he is aware of this lawsuit?</p> <p>8 A Yes, he's aware.</p> <p>9 Q Did he ever express any concerns to you</p> <p>10 about this lawsuit?</p> <p>11 A Concerns, no.</p> <p>12 Q Okay. What efforts did you and your</p> <p>13 husband take in order to recover the BMW?</p> <p>14 A I mean, I know he contacted people to try</p> <p>15 to get the car back.</p> <p>16 Q Who did he contact?</p> <p>17 A I don't know who his contacts are. I</p> <p>18 contacted Pentagon Federal.</p> <p>19 Q And that was on May 21st?</p> <p>20 A Yes, since the car was taken on the 20th;</p> <p>21 although, I must have my days off by a day to try</p> <p>22 to get the car back. You know, she was trying</p>

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86	<p>1 to -- you know, Kerry Howard was trying to get the</p> <p>2 car back for me.</p> <p>3 Q Who?</p> <p>4 A Kerry Howard at Pentagon Federal was</p> <p>5 trying to get the car back.</p> <p>6 Q What did she tell you about those</p> <p>7 efforts?</p> <p>8 A She said that she couldn't get NextGear</p> <p>9 to respond to her, and then, you know, when she did</p> <p>10 get NextGear to respond, they said that they</p> <p>11 couldn't speak to her because, you know, of the</p> <p>12 case. So it just kind of spiraled to where we are</p> <p>13 now. I bought a car; I haven't seen my car in six</p> <p>14 months; I want my car back.</p> <p>15 Q Did Pentagon Federal ever tell you that</p> <p>16 NextGear did not have title to the car?</p> <p>17 A No.</p> <p>18 Q Did NextGear ever -- I mean, did Pentagon</p> <p>19 Federal ever tell you that you were sold good title</p> <p>20 to the car?</p> <p>21 A She never said that.</p> <p>22 Q All right. Did you ever undertake to</p>	88	<p>1 Q Did she ever send you any documentation</p> <p>2 from MVA regarding the BMW?</p> <p>3 A No.</p> <p>4 Q Did you ever have any phone conversation</p> <p>5 with Kerry Howard or anyone else over at PenFed</p> <p>6 about tracking down prior owners -- who the prior</p> <p>7 owners were for the BMW, either through the MVA or</p> <p>8 other means?</p> <p>9 A No.</p> <p>10 Q To date, has PenFed ever indicated to you</p> <p>11 that BW Auto Outlet ever had good title to the BMW?</p> <p>12 MR. LEVINE: Objection, foundation.</p> <p>13 BY MR. MARKELS:</p> <p>14 Q Has PenFed ever told you that?</p> <p>15 A I haven't asked.</p> <p>16 Q Okay. Are you aware that Mr. Molavi, the</p> <p>17 owner of BW Auto Outlet, has also pled the Fifth</p> <p>18 with regard to sales of vehicles by BW Auto Outlet?</p> <p>19 MR. LEVINE: Objection, foundation,</p> <p>20 hearsay.</p> <p>21 BY MR. MARKELS:</p> <p>22 Q Are you aware?</p>
87	<p>1 investigate where your title was derived from, who</p> <p>2 the prior owner of the BMW was before you owned it?</p> <p>3 A I don't even know how to do that. I</p> <p>4 don't know where to begin to do that.</p> <p>5 Q You never went to the MVA, the Maryland</p> <p>6 Vehicle Administration, to find out who had filed</p> <p>7 previously any title with regard to the BMW?</p> <p>8 A No, Kerry Howard did that.</p> <p>9 Q Okay.</p> <p>10 A She was doing that.</p> <p>11 Q And what did she tell you that she found?</p> <p>12 A She sent me everything that she had. Is</p> <p>13 her letter in here?</p> <p>14 Q Can you direct me to where her -- if you</p> <p>15 could look through Exhibit 3, you say her letter is</p> <p>16 in here. If you could direct me to where that</p> <p>17 letter is.</p> <p>18 A That's all she --</p> <p>19 Q You're looking at Mahdavi 78?</p> <p>20 A Yes.</p> <p>21 Q This is all that she sent you?</p> <p>22 A Yes.</p>	89	<p>1 A No.</p> <p>2 MR. MARKELS: I think that's all I have</p> <p>3 at this time. Did you review your notes?</p> <p>4 MR. BRAGDON: I don't have any other</p> <p>5 questions.</p> <p>6 MR. MARKELS: All right.</p> <p>7 EXAMINATION BY COUNSEL FOR PLAINTIFF</p> <p>8 BY MR. LEVINE:</p> <p>9 Q Ms. Mahdavi, going back to the issue of</p> <p>10 damages, did you do any -- did you purchase</p> <p>11 anything for the BMW after -- any parts for the BMW</p> <p>12 after you purchased it?</p> <p>13 A Two new tires.</p> <p>14 Q And what did you pay for those tires?</p> <p>15 A \$725 roughly.</p> <p>16 Q Okay. And do you have the receipt?</p> <p>17 A I do.</p> <p>18 Q Okay. And when did you --</p> <p>19 A \$745.</p> <p>20 Q And when did you purchase the tires?</p> <p>21 A The 22nd.</p> <p>22 Q Of what month?</p>

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90	<p>1 A April.</p> <p>2 Q In 2014?</p> <p>3 A Yes.</p> <p>4 Q Okay. And are you including that in your</p> <p>5 damages?</p> <p>6 A Yes.</p> <p>7 MR. LEVINE: That's the only question</p> <p>8 I've got.</p> <p>9 EXAMINATION BY COUNSEL FOR DEFENDANT,</p> <p>10 P.A.R.</p> <p>11 BY MR. MARKELS:</p> <p>12 Q Just one more thing. I'm sorry, but just</p> <p>13 one more. Approximately how much -- you've made a</p> <p>14 request for attorney's fees in this case. Can you</p> <p>15 tell me approximately how much you've paid so far</p> <p>16 in attorney's fees on this case?</p> <p>17 MR. LEVINE: Well, I'll object to the</p> <p>18 extent that --</p> <p>19 BY MR. MARKELS:</p> <p>20 Q I'm not asking for any specifics about</p> <p>21 what was done or anything like that. I'm just</p> <p>22 trying to get the number, a ballpark.</p> <p>23 A I have paid -- I haven't paid all of my</p>	92	<p>1 (Signature not waived.)</p> <p>2 (Whereupon, at 11:56 a.m., the deposition</p> <p>3 of JODI C. MAHDAVI was concluded.)</p> <p>4</p> <p>5 * * * * *</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>
91	<p>1 bills.</p> <p>2 Q But how much have you incurred to date?</p> <p>3 A Incurred to date or how much I've paid to</p> <p>4 date?</p> <p>5 Q Let's start with just incurred.</p> <p>6 A Incurred? I don't want to guess because</p> <p>7 I -- I don't know the exact number.</p> <p>8 Q More than \$20,000?</p> <p>9 A Yes.</p> <p>10 Q More than \$30,000?</p> <p>11 A Yes.</p> <p>12 Q More than \$40,000?</p> <p>13 A I believe so.</p> <p>14 Q So not \$50,000 -- less than \$50,000?</p> <p>15 A I'd say close.</p> <p>16 Q So \$40,000 to \$60,000?</p> <p>17 A Yes.</p> <p>18 Q A fair ballpark. And then how much have</p> <p>19 you actually paid?</p> <p>20 A Ten.</p> <p>21 MR. MARKELS: Okay. That's all I have.</p> <p>22 MR. LEVINE: She'll read.</p>	93	<p>1 CERTIFICATE OF NOTARY PUBLIC</p> <p>2 I, CHRISTY MCGEE, the officer before whom</p> <p>3 the foregoing statement was taken, do hereby</p> <p>4 certify that the statement was taken by me in</p> <p>5 stenotype and thereafter reduced to typewriting</p> <p>6 under my direction; that the said statement is a</p> <p>7 true record of the proceedings; that I am neither</p> <p>8 counsel for, related to, nor employed by any of the</p> <p>9 parties to the action in which this statement was</p> <p>10 taken; and, further, that I am not a relative or</p> <p>11 employee of any counsel or attorney employed by the</p> <p>12 parties hereto, nor financially or otherwise</p> <p>13 interested in the outcome of this action.</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18 CHRISTY MCGEE</p> <p>19 Notary Public in and for the</p> <p>20 Commonwealth of Virginia</p> <p>21 My commission expires:</p> <p>22 September 30, 2016</p> <p>Notary Registration No.: 7233765</p>

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